Reg. No. KL/TV(N)/12

Government of Kerala
1983

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXVIII] Trivandrum, Friday 7th January 1983 / 17th Pousha 1904 [No. 40.

GOVERNMENT OF KERALA

Labour (E) Department

NOTIFICATION

G.O. Rt. No. 18/83/LBR. *Dated, Trivandrum, 7th January, 1983.*

S. R. O. No. 31/83.—In exercise of the powers conferred by section 43 of the Kerala Headload Workers Act, 1978 (20 of 1980), the Government of Kerala hereby make the following rules to amend the Kerala Headload Workers Rules, 1981, namely:—

RULES

1. *Short title and commencement.*—(1) These rules may be called the Kerala Headload Workers (Amendment) Rules, 1983.

(2) They shall come into force at once.

2. *Amendment of the Rules.*—In the Kerala Headload Workers Rules, 1981,—

(a) after rule 26, the following rule shall be added, namely:—

"26A. *Registration of Headload Workers.*—(1) Within 30 days from the date of publication of the Kerala Headload Workers (Amendment) Rules, 1983, in the Gazette, every headload worker shall submit his application for registration in Form IX to the Registering Authority concerned, with as many additional copies as there are employers or contractors from whom he claims to work.

(2) On receipt of such application the Registering Authority shall issue notice in Form X to the employers or contractors from whom the headload worker claims work, with copy of the application inviting objections, if any, on such application.

(3) After considering the objections, if any, received and after giving an opportunity of being heard, the Registering Authority shall register the name of the headload worker in the Register of Headload Workers, on being satisfied that the headload worker is eligible for registration and communicate the fact to the parties within two weeks of such registration. The Registering Authority shall also issue identity card to the registered headload worker showing the registration number, name and nature of work. If the name is not registered, the Registering Authority shall communicate the fact to the applicant with reasons therefor";

(b) for Forms IX and X, the following Forms shall respectively be substituted, namely:—

FORM IX

[*See* rule 26A (1)]

APPLICATION FOR REGISTRATION OF HEADLOAD WORKERS

1. Name and address of the Headload worker
2. Name(s) and address(es) of the employer(s) under whom the headload worker is working
3. Nature of work
4. Date of birth and age of the headload worker
5. Date of commencement of work under the employer

I, ... solemnly affirm that the particulars furnished above are true to the best of my knowledge and belief and request that my name may be registered.

Signature of the Applicant

Place:
Date:

FORM X
[See rule 26A(2)]
NOTICE

.... [Applicant(s)]

.... Opposite party

Whereas the applicant(s) mentioned above has/have filed application(s) for registration as headload worker(s) in Form IX, copy enclosed, you are hereby requested to file objections, if any, within fifteen days from the receipt of this notice with......additional copies. You are also requested to be present before me in this office on.............at............. a.m./p.m. for hearing in the above matter with relevant records and witnesses without fail. If you do not file any objection and if you do not attend the hearing, it will be presumed that you have no objection in registering the applicant(s) as headload worker(s) and a decision will be taken in your absence.

Dated this the..........day of........19

Encl:

Place: Signature to the Executive Authority

Date: Official designation:

Address:

To

Copy to .... [Applicant(s). He/they is/are also requested to be present for the hearing on........ at.......... a.m./p.m......... in ....with relevant records and witnesses. If he is absent, on that day, decision will be taken in his absence.

By order of the Governor,

V. KRISHNAMURTHY,

Secretary.

Explanatory Note

(This does not form part of the notification but is intended to indicate its general purport).

The Kerala Headload Workers Rules, 1981 do not contain provision of registration of headload workers with the registering authority of the area where the worker works. It has therefore become necessary to amend the rules, adding necessary provision for the purpose, also specifying forms for registration and for issue of notice to the worker and employer before the worker is finally registered by the Registering Authority.

The present Amendment Rules are intended to achieve the above object.

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1983.

Reg. No. KL/TV(N)/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXVIII] Trivandrum, Friday 7th January 1983 / 17th Pousha 1904 [No. 41

GOVERNMENT OF KERALA

Labour (E) Department

NOTIFICATION

No. 27050/E1/82/LBR. *Dated, Trivandrum, 6th January,* 1983.

S.R.O. No. 32/83.—WHEREAS the Government of Kerala are of opinion that minimum rates of wages should be fixed under the Minimum Wages Act, 1948, in respect of the employment in Liquor Trading and Liquor Vending Industry.

Now, THEREFORE, in exercise of the powers conferred by section 27 of the Minimum Wages Act, 1948 (Central Act 11 of 1948), the Government of Kerala hereby declare their intention to add the said employment to Part I of the Schedule to the said Act, in its application to the State of Kerala and accordingly propose to make the following amendment to Part I of the Schedule to the said Act.

Notice is hereby given that the said proposal will be taken up for consideration on the expiry of three months from the date of publication of this notification in the Gazette and that any objection or suggestion that may be received from any person in respect of the said proposal before the date specified above will be considered by Government. Objections or suggestions shall be addressed to the Secretary to Government, Labour (E) Department, Government Secretariat, Trivandrum.

33/110/MC.

DRAFT AMENDMENT

In Part I of the Schedule to the Minimum Wages Act, 1948 (Central Act 11 of 1948), after item No. 43, the following item shall be added, namely:—

"44. Employment in Liquor Trading and Liquor Vending Industry".

By order of the Governor,

V. KRISHNAMURTHY,
Secretary.

Explanatory Note

(This does not form part of the notification but is intended to indicate its general purport)

It has been reported to Government that a vast number of persons are employed in the foreign liquor wholesale shops and retail shops, arrack shops and toddy shops in the State. For any practical purpose these categories of employees are not assured any minimum rates of wages. Government have, therefore, considered the matter and have decided to fix minimum wages for these categories of employees, bringing them under the coverage of Minimum Wages Act, 1948. Accordingly Government propose to notify the Employment in 'Liquor Trading and Liquor Vending Industry' as a Scheduled employment by adding the same as item number '44' in the Schedule to the Minimum Wages Act, 1948. A preliminary notification inviting objections and suggestions has to be issued for the purpose which the Government decided to issue.

This notification is intended to achieve the above object.

PRINTED AND PUBLISHED BY THE S. G. P. AT THE GOVERNMENT PRESS, TRIVANDRUM, 1983.